

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
CIVIL ACTION NO: 4:10-CV-132-FL

CAROLYN L. DEMERCURIO,)	
)	
Plaintiff,)	
vs.)	ORDER GRANTING ATTORNEY'S
)	FEES PURSUANT TO THE
MICHAEL J. ASTRUE,)	EQUAL ACCESS TO JUSTICE
Commissioner of)	ACT, 28 U.S.C. § 2412
Social Security,)	
)	
Defendant.)	

This is a social security case in which judgment was entered on July 26, 2011, and Order entered that the decision of the Commissioner was reversed and the case remanded to the Commissioner under sentence four, 42 U.S.C. § 405(g) for further proceedings. The parties have stipulated to an award of attorneys' fees to plaintiff under the Equal Access to Justice Act (EAJA), 28 U.S.C. Section 4212 in the total amount of \$5,370.00. The parties have also stipulated that plaintiff's costs of \$265.00 be reimbursed. It is, therefore,

ORDERED that defendant pay \$5,370.00 in attorney's fees under the Equal Access to Justice Act. It is also ORDERED that plaintiff's costs of \$265.00 be reimbursed. The check for payment of attorney's fees will be made payable to plaintiff, Carolyn L. Demercurio, unless the Commissioner finds that the award to plaintiff is not subject to the Treasury Offset Program, in which case the check will be made payable to counsel, Janet M. Lyles. Upon payment of such sum, plaintiff's application for

EAJA fees, filed on August 3, 2011, will be fully resolved.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive style with a large initial "L".

LOUISE W. FLANAGAN
CHIEF UNITED STATES DISTRICT JUDGE

This 19th day of August, 2011